

REMARKS

Claims 1-28 and 33-43 are pending in the present application. In the above amendment, claim 33 has been amended for clarity.

In the Office Action mailed August 25, 2003, the Examiner rejected claims 29-31 and 33 under 35 U.S.C. §103(a) as being unpatentable over Asanuma (US 5,983,113). In the rejection, the Examiner alleges that Asanuma discloses a CDMA system comprising a plurality of mobile stations configured to send up-link channel signals to a base station. The Examiner further contends that Asanuma teaches a determination between the relative phase difference between the two signals by the base station sensing the phase difference between the orthogonal codes of the up-link channel signals from the mobile stations. The Examiner further contends that Asanuma further discloses that the base station creates timing control information for controlling the phase difference, notifies this information to the mobile stations, and on the basis of the timing control information sent by the base station, each mobile station adjusts the transmission timing of an up-link channel signal. The Examiner then concludes that it would have been obvious to have the claimed base stations configured to transmit signals as in the mobile stations of Asanuma, the claimed sync unit to receive the signals and determine a phase difference as in the base station of Asanuma and the claimed second base station to be configured to adjust the phase of its signal based on the timing control information sent by the base station as in Asanuma. The Examiner further alleges that a person skilled in the art would be motivated to do this as it enables high-quality radio communication with less interference between channels. Applicant respectfully traverses this rejection.

Asanuma discloses a base station that senses the phase difference between orthogonal codes of up-link channel signals coming from a plurality of mobile stations and creates timing control information for controlling the sensed phase difference closer to zero and notifies the timing control information to the relevant mobile station. Asanuma further discloses that each of the plurality of mobile stations receives the timing control information notified by the base station and controls the transmission timing of the up-link channel signal transmitted to the base station according to the received timing control information. Note col. 2, lines 19-31 of

Asanuma. Applicant respectfully submits, however, that there is absolutely no disclosure or suggestion by Asanuma that includes a first base station configured to transmit a first signal using a first CDMA channelization, a second base station configured to transmit a second signal using a second CDMA channelization, and a sync unit configured to receive said first signal and said second signal and configured to determine a relative phase or timing difference therebetween, wherein said second base station is further configured to adjust a phase or timing at which said second signal is transmitted based upon said relative phase or timing difference, and wherein said first signal is transmitted using a first CDMA channelization and said second signal is transmitted using a second CDMA channelization as recited in claims 29 and 33 of the present invention. Applicant respectfully submits that the Examiner has failed to provide any evidence whatsoever that it is known to modify the system of Asunama as proposed in the rejection. Accordingly, because Asanuma fails to teach or suggest first and second base stations to respectively transmit first and second signals using first and second CDMA channelizations, and a synch unit for receiving said first signal and second signal and configured to determine a relative phase or timing difference therebetween, wherein said second base station is further configured to adjust a phase or timing at which said second signal is transmitted based upon said relative phase or timing difference, Applicant respectfully submits that claims 29 and 33, and all claims dependent thereon, are allowable thereover.

Applicant notes and appreciates the Examiner's allowance of claims 1-28 and 34-43 of the present invention.

REQUEST FOR ALLOWANCE

In view of the foregoing, Applicant submits that all pending claims in the application are patentable. Accordingly, reconsideration and allowance of this application is earnestly solicited. Should any issues remain unresolved, the Examiner is encouraged to telephone the undersigned at the number provided below.

Respectfully submitted,

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